

EXHIBIT A

**BEFORE THE JUDICIAL PANEL
ON MULTIDISTRICT LITIGATION**

**IN RE VEECO INSTRUMENTS INC.
PRIVATE SECURITIES LITIGATION**

)
)
)
)

MDL Docket No. _____

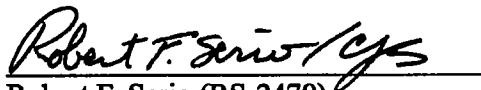
**MOTION OF VEECO INSTRUMENTS INC., EDWARD H.
BRAUN, AND JOHN F. REIN, JR., TO TRANSFER AND
CONSOLIDATE ACTIONS FOR PRETRIAL PROCEEDINGS**

Defendants Veeco Instruments Inc. (“Veeco”), Edward H. Braun (“Braun”), and John F. Rein, Jr. (“Rein”), hereby respectfully move the Judicial Panel on Multidistrict Litigation (the “Panel”) for an Order: (a) transferring ten virtually identical putative class actions pending before two federal district courts along with any subsequently filed “tag-along” actions to a single district court, and (b) consolidating those actions for coordinated pretrial proceedings pursuant to 28 U.S.C. § 1407. A list of the pending actions is attached hereto as Schedule A. Defendants Veeco, Braun, and Rein respectfully request that the Panel transfer the pending actions to the United States District Court for the Southern District of New York.

The grounds in support of the motion are set forth in the accompanying memorandum.

Dated: New York, New York
April 29, 2005

Respectfully submitted,

A handwritten signature in black ink, reading "Robert F. Serio / cjs", written over a horizontal line.

Robert F. Serio (RS-2479)
John A. Herfort (JH-1460)
J. Ross Wallin (JW-3911)
Gibson, Dunn & Crutcher LLP
200 Park Avenue
New York, New York 10166-0193
(212) 351-4000

***Counsel for Defendants Veeco Instruments Inc.,
Edward H. Braun, and John F. Rein, Jr.***

**BEFORE THE JUDICIAL PANEL
ON MULTIDISTRICT LITIGATION**

**IN RE VEECO INSTRUMENTS INC.
PRIVATE SECURITIES LITIGATION**

)
)
)
)

MDL Docket No. _____

SCHEDULE A

Pursuant to Rule 7.2(a)(ii) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, defendants Veeco, Braun, and Rein provide the following information on the actions that will be affected by this motion:

<u>Complete Case Name</u>	<u>District Where Pending</u>	<u>Civil Action No.</u>	<u>Judge Assigned</u>	<u>Exhibit</u>
L.I.S.T., Inc., on behalf of itself and all others similarly situated v. Veeco Instruments, Inc., Edward H. Braun, and John F. Rein, Jr.	Southern District of New York	05 Civ. 2189	Hon. Colleen McMahon	1
Andrew McIntosh, individually and on behalf of all others similarly situated v. Veeco Instruments, Inc., Edward H. Braun, and John F. Rein, Jr.	Eastern District of New York	05 Civ. 0889	Hon. Leonard D. Wexler	2

<u>Complete Case Name</u>	<u>District Where Pending</u>	<u>Civil Action No.</u>	<u>Judge Assigned</u>	<u>Exhibit</u>
Barry Linzer, on behalf of himself and all others similarly situated v. Veeco Instruments, Inc., Edward H. Braun, and John F. Rein, Jr.	Eastern District of New York	05 Civ. 0957	Hon. Denis R. Hurley	3
Bruce Kantor, on behalf of himself and all others similarly situated v. Veeco Instruments, Inc., Edward H. Braun, and John F. Rein, Jr.	Eastern District of New York	05 Civ. 0967	Hon. Leonard D. Wexler	4
George F. Walker, individually and on behalf of all others similarly situated v. Veeco Instruments, Inc., Edward H. Braun, and John F. Rein, Jr.	Eastern District of New York	05 Civ. 1003	Hon. Joanna Seybert	5
Philip G. Collins, on behalf of himself and all others similarly situated v. Veeco Instruments, Inc., Edward H. Braun, and John F. Rein, Jr.	Eastern District of New York	05 Civ. 1277	Hon. Leonard D. Wexler	6
Servaas Holthuizen, individually and on behalf of all others similarly situated v. Veeco Instruments, Inc., Edward H. Braun, and John F. Rein, Jr.	Eastern District of New York	05 Civ. 1337	Hon. Leonard D. Wexler	7
Roy P. Kershaw, individually and on behalf of all others similarly situated v. Veeco Instruments, Inc., Edward H. Braun, and John F. Rein, Jr.	Southern District of New York	05 Civ. 2929	Hon. Colleen McMahon	8
Gerald J. Vogt and Eleanor L. Vogt, on behalf of themselves and all others similarly situated v. Veeco Instruments, Inc., Edward H. Braun, and John F. Rein, Jr.	Eastern District of New York	05 Civ. 1430	Hon. Leonard D. Wexler	9
Timothy Joe Grove, on behalf of himself and all others similarly situated v. Veeco Instruments, Inc., Edward H. Braun, and John F. Rein, Jr.	Eastern District of New York	05 Civ. 1552	Hon. Leonard D. Wexler	10

**BEFORE THE JUDICIAL PANEL
ON MULTIDISTRICT LITIGATION**

**IN RE VEECO INSTRUMENTS INC.
PRIVATE SECURITIES LITIGATION**

)
)
)
)

MDL Docket No. _____

CERTIFICATE OF SERVICE

I hereby certify, under penalty of perjury pursuant to 28 U.S.C. § 1746, that on this 29th day of April, 2005, I caused true and correct copies of Defendants' Motion To Transfer and Consolidate For Pretrial Proceedings and Memorandum in Support thereof, and the Declaration of Robert F. Serio to be filed with the clerk of each district court in which an action is pending that will be affected by the Motion, and to be served by Federal Express on each of the following counsel:

<i>Counsel for Actions Pending in E.D.N.Y.</i>	
Evan J. Smith, Esq. Marc L. Ackerman, Esq. BRODSKY & SMITH, LLC 240 Mineola Boulevard Mineola, NY 11501 Tel: (516) 741-4977 Fax: (610) 667-9029 Email: Esmith@brodsky-Smith.com	Marc A. Topaz, Esq. Richard A. Maniskas, Esq. SCHIFFRIN & BARROWAY, LLP 280 King of Prussia Rd. Radnor, PA 19087 Tel: (610) 667-7706 Fax: (610) 617-7056 <i>Counsel for Plaintiff Andrew McIntosh</i>
<i>Counsel for Plaintiff Andrew McIntosh</i> Marc C. Gardy, Esq. ABBEY GARDY, LLP 212 East 39th Street New York, NY 10016 Tel: (212) 889-3700 Fax: (212) 684-5191 Email: Mgardy@abbeygardy.com <i>Counsel for Plaintiff Barry Linzer</i>	Samuel H. Rudman, Esq. David H. Rosenfeld, Esq. Mario Alba, Jr., Esq. LERACH COUGHLIN STOIA GELLER RUDMAN & ROBBINS LLP 200 Broadhollow Road, Suite 406 Melville, NY 11747 Tel.: (631) 367-7100 Fax: (631) 367-1173 Email: Drosenfeld@lerachlaw.com <i>Counsel for Plaintiff Bruce Kantor</i>
Charles J. Piven, Esq. LAW OFFICES OF CHARLES J. PIVEN, P.A. The World Trade Center Baltimore Suite 2525 401 East Pratt Street Baltimore, MD 21202 Tel: (410) 332-0030 Fax: (410) 685-1300 <i>Counsel for Plaintiff George Walker</i>	Steven G. Schulman Peter E. Seidman Sharon M. Lee MILBERG WEISS BERSHAD & SCHULMAN LLP One Pennsylvania Plaza – 49th Floor New York, NY 10119 Tel: (212) 594-5300 Fax: (212) 868-1229 <i>Counsel for Plaintiff George Walker</i>

<p>Sherrie R. Savett Phyllis M. Parker BERGER & MONTAGUE, P.C. 1622 Locust Street Philadelphia, PA 19103 Tel: (215) 875-3000 Fax: (215) 875-4604</p> <p><i>Counsel for Plaintiff George Walker</i></p>	<p>Catherine A. Torell, Esq. COHEN, MILSTEIN, HAUSFELD & TOLL, P.L.L.C. 150 East 52nd Street, 30th Floor New York, NY 10022-6017 Tel.: (212) 838-7797 Fax: (212) 838-7745 Email: Ctorell@cmht.com</p> <p><i>Counsel for Plaintiff Phillip G. Collins</i></p>
<p>Steven J. Toll, Esq. Daniel S. Sommers, Esq. Julie Goldsmith Reiser, Esq. COHEN, MILSTEIN, HAUSFELD & TOLL, P.L.L.C. 1100 New York Avenue, N.W. West Tower, Suite 500 Washington, D.C. 20005-3964 Tel: (202) 408-4600 Fax: (202) 408-4699 Email: Stoll@cmht.com</p> <p><i>Counsel for Plaintiff Phillip G. Collins</i></p>	<p>Fred T. Isquith, Esq. Christopher S. Hinton, Esq. WOLF HALDENSTEIN ADLER FREEMAN & HERZ LLP 270 Madison Avenue, 11th Floor New York, NY 10016 Tel: (212) 545-4600 Fax: (212) 545-4653 Email: Isquith@whafh.com</p> <p><i>Counsel for Plaintiff Servaas Holthuiizen</i></p>
<p>Brian M. Felgoise, Esq. LAW OFFICES OF BRIAN M. FELGOISE, P.C. 261 Old York Road – Suite 423 Jenkintown, PA 19046 Tel: (215) 886-1900 Fax: (215) 886-1909 Email: FelgoiseLaw@aol.com</p> <p><i>Counsel for Plaintiff Servaas Holthuiizen</i></p>	<p>Marc Henzel, Esq. LAW OFFICES OF MARC HENZEL 273 Montgomery Avenue, Suite 202 Bala Cynwd, PA 19004 Tel: (610) 660-8000 Fax: (610) 660-8080 Email: mhenzell82@aol.com</p> <p><i>Counsel for Plaintiff Servaas Holthuiizen</i></p>

<p>Jules Brody, Esq. Aaron Brody, Esq. Tzvia Brody, Esq. STULL, STULL & BRODY 6 East 45th Street New York, NY 10017 Tel: (212) 687-7230 Fax: (212) 490-2022 Email: Ssbny@aol.com</p> <p><i>Counsel for Plaintiffs Gerald J. Vogt and Eleanor L. Vogt</i></p>	<p>Joseph H. Weiss, Esq. WEISS & LURIE 551 Fifth Avenue New York, NY 10176 Tel: (212) 682-3025 Fax: (212) 682-3010</p> <p><i>Counsel for Plaintiffs Gerald J. Vogt and Eleanor L. Vogt</i></p>
<p>Curtis V. Trinko, Esq. LAW OFFICES OF CURTIS V. TRINKO, LLP 16 West 46th Street, 7th Floor New York, NY 10036 Tel: (212) 490-9550 Fax: (212) 986-0158 Email: Ctrinko@trinko.com</p> <p><i>Counsel for Plaintiff Timothy Joe Grove</i></p>	<p>Alfred G. Yates, Esq. LAW OFFICES OF ALFRED G. YATES, JR. 519 Allegheny Building 429 Forbes Avenue Pittsburgh, PA 15219 Tel: (412) 391-5164 Fax: (412) 471-1033 Email: Yateslaw@aol.com</p> <p><i>Counsel for Plaintiff Timothy Joe Grove</i></p>

Counsel for Actions Pending in S.D.N.Y.

Jonathan M. Plasse, Esq.
Christopher J. Keller, Esq.
Shelly Thompson, Esq.
**GOODKIND LABATON RUDOFF
& SUCHAROW LLP**
100 Park Avenue
New York, NY 10017-5563
Tel: (212) 907-0700
Fax: (212) 818-0477
Email: jplasse@glrslaw.com

***Counsel for Plaintiff L.I.S.T., Inc. -
No. 05-cv-2189 (S.D.N.Y.)***

Eric J. Belfi, Esq.
MURRAY, FRANK & SAILOR LLP
275 Madison Avenue, 8th Floor
New York, NY 10016
Tel: (212) 682-1818
Fax: (212) 682-1892
Email: ebelfi@murrayfrank.com

***Counsel for Plaintiff Roy P. Kershaw -
No. 05-cv-2929 (S.D.N.Y.)***

Dated: New York, New York
April 29, 2005


J. Ross Wallin

80326173_7.DOC